

**CHAPTER NO. 57**

**SENATE BILL NO. 205**

**By Rochelle, McNally, Fowler, Springer, Burks, Atchley, Blackburn, Burchett, Carter, Clabough, Cohen, Cooper, Crowe, Crutchfield, Davis, Dixon, Elsea, Ford, Graves, Harper, Haun, Haynes, Henry, Herron, Kurita, Kyle, Leatherwood, Miller, Person, Ramsey, Williams, Womack, Mr. Speaker Wilder**

Substituted for: House Bill No. 197

By McDonald, Williams, Fowlkes, Bone, West, Stulce, Head, Hood, Eckles, Sharp, Wood, Hargett, Pleasant, Boyer, Patton, Ford, Fitzhugh, Maddox, Hagood, White, Fraley, Cooper, Bittle, Buttry, Langster, Sargent, Briley, Miller, Godsey, Dunn, McDaniel, Ridgeway, Sands, Winningham, Walker, Brenda Turner, Montgomery, Lois DeBerry, McMillan, Towns

AN ACT To amend Tennessee Code Annotated, Title 39, Chapter 14, Part 1, relative to identity theft.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 39-14-1\_\_.

(a) A person commits identity theft who knowingly transfers or uses, without lawful authority, a means of identification of another person with the intent to commit, or otherwise promote, carry on, or facilitate any unlawful activity.

(b) As used in this section, "means of identification" means any name or number that may be used, alone or in conjunction with any other information, to identify a specific individual, including:

(1) Name, social security number, date of birth, official state or government issued driver license or identification number, alien registration number, passport number, employer or taxpayer identification number;

(2) Unique biometric data, such as fingerprint, voice print, retina or iris image, or other unique physical representation;

(3) Unique electronic identification number, address, routing code or other personal identifying data which enables an individual to obtain merchandise or service or to otherwise financially encumber the legitimate possessor of the identifying data; or

(4) Telecommunication identifying information or access device.

(c) An offense under this section is a Class D felony.

SECTION 2 This act shall take effect July 1, 1999, the public welfare requiring it.

**PASSED: March 24, 1999**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 7th day of April 1999**

  
DON SUNDQUIST, GOVERNOR